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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/942,826      | 08/31/2001  | Jeffrey T. Baker     | 053520-5008         | 1211             |

Jeffrey Baker  
240 East Montgomery Avenue  
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7590 03/10/2004

EXAMINER

COBY, FRANTZ

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2171

DATE MAILED: 03/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

8c

**Office Action Summary**

Application No.

09/942,826

Applicant(s)

BAKER, JEFFREY T.

Examiner

Frantz Coby

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

This is in response to application filed on August 31, 2001 in which claims 1-17 are presented for examination.

**Status of Claims**

Claims 1-17 are pending.

***Information Disclosure Statement***

The information disclosure statement filed on August 08, 2001 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file and the information referred to therein has been considered as to the merits.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Broerman U.S. Patent no. 6,594,633.

As per claim 12, Broerman discloses a method to generate contract document (See Broerman Col. 2, lines 28-37). In particular, Broerman provides "at least three databases" as property database 20 of figure 3; scheduling database 94 of figure 3 and transaction database 90 of figure 3 and "a maintenance engine" as a search engine 84 of figure 3 for at least one of the databases. In particular, Broerman discloses the claimed feature of "generating at least one document as a function of relationships between the at least three databases (See Broerman Figures 3-4 and corresponding text). Also, Broerman discloses the claimed limitations of "providing the document for review by at least one of a customer, a salesperson, and a legal specialist" (See Broerman Col. 11, lines 25-43). Last, Broerman discloses the claimed limitations of "storing the reviewed document in a protected format; and submitting the document to at least one customer (See Broerman Col. 11, lines 44-54).

As per claims 13-17, most of the limitations of these claims have been noted in the rejection of claim 12 above. In addition, Broerman discloses rules relating to information stores in any the databases of Broerman that are part of the computer software applications (See Broerman Col. 5, lines 10-21) incorporated in the real state computer network of Broerman for generating a contract. In Broerman, determination can be made whether "items requested by a salesperson is stored in one of the databases" through the search engine (See Broerman Figure 3, component 86). Broerman provides "a graphical user interface" (See Broerman Col. 9, lines 20-24).

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Further Broerman provides transmission of documents from one platform to another user the network of figure 2. Last, Broerman provides mechanism for determining if customer has authorization (See Broerman Col. 10, lines 35-62); and mechanism for notifying a salesperson that a document is being generated (see Broerman Col. 10, line 63-Col. 11, line12).

As per claims 1-11, all the limitations of these claims have been noted in the rejection of claims 12-17. They are therefore rejected as set forth above.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 703 305-4006. The examiner can normally be reached on Monday - Friday from 10:30AM -10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703 308 1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Frantz Coby  
Primary Examiner  
Art Unit 2171

March 3, 2004